

OSCAR LEESER  
MAYOR

JOYCE WILSON  
CITY MANAGER



**CITY COUNCIL**  
ANN MORGAN LILLY, DISTRICT 1  
LARRY ROMERO, DISTRICT 2  
EMMA ACOSTA, DISTRICT 3  
CARL L. ROBINSON, DISTRICT 4  
MICHEL R. NOE, DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
LILY LIMÓN, DISTRICT 7  
CORTNEY CARLISLE NILAND, DISTRICT 8

## **AGENDA FOR REGULAR COUNCIL MEETING**

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**JULY 30, 2013  
COUNCIL CHAMBERS, CITY HALL  
8:30 a.m.**

**AND**

**LEGISLATIVE REVIEW MEETING OF THE WHOLE  
300 N. CAMPBELL  
MAIN CONFERENCE ROOM, 2<sup>ND</sup> FLOOR  
JULY 29, 2013**

### **NOTE:**

- The City Council Agenda has been reorganized as directed by City Council on June 25, 2013 to allow for a **Call to the Public at 12:15 p.m. – 12:45 p.m.** Requests to speak must be received by **9:00 a.m.** on the date of the meeting. Three minutes may be allowed for each speaker. Thirty minutes in total will be devoted for Call to the Public.
- At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.
- If items are scheduled for the Executive Session, the Council will move to Executive Session at the end of the Regular Agenda items or after Call to the Public, whichever comes first or as determined by the Presiding Officer.

### **ROLL CALL**

### **INVOCATION BY CIMA CHAPLAIN CARLOS CLUGY-SOTO**

### **PLEDGE OF ALLEGIANCE**

**VICTORIA MASCORRO**

### **MAYOR'S PROCLAMATIONS**

- 1. EL PASO NEIGHBORHOOD ASSOCIATION'S DAY**
- 2. OUTSTANDING HISPANIC-OWNED BUSINESS DAY**

### **RECOGNITIONS**

**CITY EMPLOYEES**

## NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

## CONSENT AGENDA

### 1. **APPROVAL OF MINUTES:**

Approval of Minutes for the Regular City Council Meeting of July 23, 2013, the Legislative Review of the Whole/Work Session of July 23, 2013, and the Special City Council Meeting of July 17, 2013 (Budget Hearings for Airport, City Development, Community Development, Convention & Performing Arts, Municipal Clerk, Engineering and Construction Management, General Services, International Bridges, and Office of the Comptroller), and the Special City Council Meeting of July 18, 2013 (Budget Hearings for Library, Museums & Cultural Affairs, Parks & Recreation, Zoo, Department of Public Health, Environmental Services, and Fire).

[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

### 2. **REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

### 3. **RESOLUTIONS:**

**3A.** That the sale and service of alcoholic beverages by St. Ignatius Church, in the closed portions of City rights-of-way on East 3rd Avenue from South Park Street to Nino Aguilera Street and on Nino Aguilera Street from East 3rd Avenue to East Delta Drive, from 5:00 p.m. to 12:00 a.m. on Friday, August 2, 2013, Saturday, August 3, 2013, and Sunday, August 4, 2013, is a permissible activity in conjunction with The St. Ignatius Bazaar. (NESV13-00018) **(District 8)**

[City Development, Martin Camarillo, (915) 541-4007]

**3B.** That the City Council grants the Proportionality Appeal regarding traffic control measures for Tierra Del Este Phase V Land Study submitted under Section 19.46 of the El Paso City Code. **(All Districts)**

[City Development, Mathew McElroy, (915) 541-4193]

**3C.** That the City Council approve the deduction of Options 1 through 4 in the amount of \$281,634.50 awarded under contract number 2012-242 to Tri State Electric, Ltd., on January 29, 2013, for the Safe Route to School – Project No 2, due to lack of funding by the Texas Department of Transportation. The new contract amount, including this construction quantity notice/change order is \$1,134,501.54. **(All Districts)**

[Engineering and Construction Management, Irene D. Ramirez, (915) 541-4428]

**3D.** That the City Council approve the deduction of Options 1 through 5 in the amount of \$404,950.00 awarded under contract number 2012-243 to Tri State Electric, Ltd., on January 29, 2013, for the Safe Route to School – Project No 3, due to

lack of funding by the Texas Department of Transportation. The new contract amount, including this construction quantity notice/change order is \$1,468,986. **(All Districts)** [Engineering and Construction Management, Irene D. Ramirez, (915) 541-4428]

**3E.** That the City Manager be authorized to sign the First Amendment to the Interlocal Agreement by and between the City of El Paso ("CITY") and Camino Real Regional Mobility Authority that was entered on November 11, 2010, to provide for funding from the City in the amount of up to \$210,000 for the construction of the aesthetic improvements on the I 10 and Airway interchange that are on the City owned right of way. **(District 3)**  
[Museums and Cultural Affairs, Sean McGlynn, (915) 541-4898]

**3F.** That the City Manager is authorized to enter into an Affiliation Agreement between The University of Texas at El Paso (University) and City of El Paso to cooperate with University to establish and implement from time to time one or more Programs involving the students and personnel of University and the facilities for internship at the El Paso Zoo. **(All Districts)**  
[Zoo, Steve Marshall, (915) 521-1855]

**4. SPECIAL APPOINTMENT:**

Appointment of Linda Samples as an Assistant City Attorney effective August 19, 2013.  
[City Attorney's Office, Sylvia Borunda Firth, (915) 541-4550]

**5. BOARD RE-APPOINTMENT:**

Carmen Arrieta-Candelaria to the Fire and Police Pension Fund Board of Trustees by Mayor Oscar Leeser. [Mayor Oscar Leeser, (915) 541-4015]

**6. BOARD APPOINTMENTS:**

**6A.** Fire Chief Samuel Peña to the El Paso County 911 District Board of Managers by Mayor Oscar Leeser. [Mayor Oscar Leeser, (915) 541-4015]

**6B.** Adam E. Gurrola to the Parks and Recreation Advisory Board by Representative Larry Romero, District 2. [Representative Larry Romero, (915) 541-4996]

**7. FOR NOTATION:**

Accept the donation of \$500 from El Paso Accent Homes LLC for Movies under the Stars in District 3. [Representative Emma Acosta, (915) 541-4515]

**8. REQUESTS TO ISSUE PURCHASE ORDERS:**

**8A.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City's option to extend current Contract 2010-189 (Niehoff Alternators and Related Parts) with McAdams Group LLC dba Texas Alternator Starter Service for two additional years pursuant to the provisions of an award approved by City Council on September 14, 2010. The extended contract period will be from September 13, 2013 to September 14, 2015.

Department:  
Award to:

Fire  
McAdams Group LLC dba Texas Alternator

Option: Starter Service  
 Annual Estimated Amount: El Paso, TX  
 Total Estimated Amount: Two (of Two)  
 Account No.: \$35,000  
 Funding Source: \$70, 000 (2 years)  
 322-22090-522280-1000  
 General Fire Fund-Vehicle/Heavy  
 Equipment Maintenance  
**Districts:** All

This is a requirements type contract  
 [Financial Services, Bruce D. Collins, (915) 541-4313]  
 [Fire, Samuel Pena, (915) 485-5610]

- 8B.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City's option to extend the current contract 2010-206 (Traffic Priority Control System, Infrared Activated, Data Encoded) with Tri-State Electric Ltd, for two additional years pursuant to the provisions of an award approved by the City Council on September 14, 2010. The extended contract period will be from September 14, 2013 to September 13, 2015.

Department: Transportation  
 Award to Vendor: Tri-State Electric Ltd

Option: 2 years  
 Annual Estimated Amount: \$154,386.54  
 Total Estimated Amount: \$308,773.08 (2 Years)  
 Account No.: 532-32170-532030-1000  
 Funding Source: General Fund Public Access Maintenance  
**Districts:** All

This is a Best Value type contract.  
 [Financial Services, Bruce D. Collins, (915) 541-4313]  
 [Department of Transportation, Ted Marquez, (915) 621-6750]

- 8C.** Request that the Purchasing Manager, Financial Services, Purchasing Division, be authorized to reject the sole bid received for solicitation No. 2013-192 (Sale of Real Property Improvement, Airport Hangar #7) as the bidder did not agree to the terms and conditions of the Contract.

Department: Aviation (El Paso International Airport)

**Districts:** All  
 [Financial Services, Bruce D. Collins, (915) 541-4313]  
 [Aviation, Monica Lombrana, (915) 780-4793]

- 8D.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City's option to extend current Contract 2010-223R (Maintenance of City Servers) with Solid Systems CAD Services, Inc. for two additional years pursuant to the provisions of an award approved by City Council on August 17, 2010. The extended contract period will be from August 17, 2013 to August 17, 2015.

Department: Information Technology Department

|                          |                                  |
|--------------------------|----------------------------------|
| Award to:                | Solid Systems CAD Services, Inc. |
|                          | Houston, Texas                   |
| Option:                  | Two (of Two)                     |
| Annual Estimated Amount: | \$ 76,336.67                     |
| Total Estimated Amount:  | \$152,663.34 (2 years)           |
| Account No.:             | 239 - 15070 - 522150 - 1000      |
| Funding Source:          | General Fund                     |
| <b>Districts:</b>        | <b>All</b>                       |

This is a thirty six month contract.

[Financial Services, Bruce D. Collins, (915) 541-4313]

[Information Technology, Miguel Gamino, (915) 541-4746]

### **REGULAR AGENDA - INTRODUCTIONS**

#### **9. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

**Public comment typically is not taken during the introduction of ordinances.**

**Public comments are invited at the date of the scheduled public hearing.**

- 9A.** An Ordinance vacating a portion of Elm Street Right-of-Way, adjacent to Block 126, Highland Park Addition, City of El Paso, El Paso County, Texas. Subject Property: 2801 Memphis Avenue. Property Owner: Ramon and Aurora Tarin. SURW13-00001 **(District 2)** [City Development, Nelson Ortiz, (915) 541-4931]
- 9B.** An Ordinance vacating a portion of Elm Street Right-of-Way, adjacent to Block 126, Highland Park Addition, City of El Paso, El Paso County, Texas. Subject Property: 2800 Nashville Street. Property Owner: Carlos and Maria Hernandez. SURW13-00002 **(District 2)** [City Development, Nelson Ortiz, (915) 541-4931]
- 9C.** An Ordinance vacating a portion of Elm Street Right-of-Way, adjacent to Block 126, Highland Park Addition, City of El Paso, El Paso County, Texas. Subject Property: 2604 Elm Street. Property Owner: Blanca V. Duarte. SURW13-00005 **(District 2)** [City Development, Nelson Ortiz, (915) 541-4931]
- 9D.** An Ordinance vacating a portion of Elm Street Right-of-Way, adjacent to Block 126, Highland Park Addition, City of El Paso, El Paso County, Texas. Subject Property: 2608 Elm Street. Property Owner: Salvador and Blanca V. Duarte. SURW13-00006 **(District 2)** [City Development, Nelson Ortiz, (915) 541-4931]
- 9E.** An Ordinance rescinding Ordinance Nos. 10739, 12141, 15006, and 15167 and authorizing the El Paso Public Library to establish fees by the Budget Resolution for use of library system for non-residents of the City of El Paso; replacement fees for lost or destroyed cards; fees for overdue, damaged, or lost books and other materials; fees for services including but not limited to copying, printing, faxing, scanning, and meeting room use; and collection fees. The ordinance also authorizes City Council to declare limited periods of "Amnesty" by appropriately adopted Resolution. **(All Districts)** [Library, Dionne L. Mack, (915) 543-5413]

**PUBLIC HEARING WILL BE HELD ON AUGUST 6, 2013, FOR ITEMS 9A – 9E**

- 9F.** An Ordinance changing the zoning of Tracts 7 and 7A, Section 16, Block 80, Township 1 Texas and Pacific Railway Surveys, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to R-5 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Property owner: Direct Home Sales Inc., Location: south of Patriot Freeway and east of Mesquite Hill Drive, PZRZ13-00019. **(District 4)** [City Development, Arturo Rubio, (915) 541-4633]
- 9G.** An Ordinance changing the zoning of Tract 1-D-1, Block 2, Ascarate Grant, City of El Paso, El Paso County, Texas from R-3 (Residential) to C-1 (Commercial), and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: north of Album and east of McRae. Property Owner: LUCMOR, LLC. PZRZ13-00017 **(District 3)** [City Development, Michael McElroy, (915) 541-4238]
- 9H.** An Ordinance granting Special Permit No. PZST13-00010, to allow for a Ground Mounted 55' Personal Wireless Service Facility on the property described as Lots 11-12, Block 34, Campbell's Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.455 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 1100 S. Oregon Street. Property Owner: Silva Diversified, Inc. PZST13-00010 **(District 8)** [City Development, Andrew Salloum, (915) 541-4633]

**PUBLIC HEARING WILL BE HELD ON AUGUST 20, 2013, FOR ITEMS 9F – 9H**

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 8:30 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 300 N. Campbell, Monday through Thursday, 7:00 a.m. to 6:00 p.m.

**REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS**

**10. FINANCIAL SERVICES:**

- 10A.** Discussion and action on the award of Solicitation No. 2013-164 Building Electrical Supplies and Related Products to Border States Industries, Inc./ Border States Electric Supply for an initial term estimated award of \$540,000.

|                               |  |
|-------------------------------|--|
| Department:                   | General Services   |
| Award to:                     | Border States Industries, Inc / Border States Electrical Supply<br>El Paso, TX |
| Item(s):                      | All  |
| Initial Term:                 | 3 years  |
| Option to Extend:             | 1 year   |
| Annual Estimated Award:       | \$180,000  |
| Initial Term Estimated Award: | \$540,000  |
| Total Estimated Award:        | \$720,000  |
| Account No.:                  | 213 – 31040 – 522260 – 1000 – P3120  |
| Funding Source:               | General Services Dept – General Fund – Building Facilities Maintenance         |
| <b>Districts:</b>             | <b>All</b>   |

This is a low bid, requirements type contract.

The Financial Services - Purchasing Division and General Services recommend that Graybar Electric Co. and Triangle Electrical Supply be disqualified as non-responsive and the contract be awarded as indicated to Border States Industries, Inc. / Border States Electrical Supply, the lowest responsive, responsible bidder.

[Financial Services, Bruce D. Collins, (915) 541-4313]

[General Services, Stuart C. Ed, (915) 621-6822]

- 10B.** Discussion and action on the award of Solicitation No. 2013-184 (Rental of Portable Restrooms) to El Paso Sanitation Systems, Inc. for an initial term estimated award of \$600,000.

|                               |   |
|-------------------------------|---|
| Department:                   | General Services – Land Management Division |
| Award to:                     | El Paso Sanitation Systems, Inc.            |
|                               | El Paso, TX                                 |
| Item(s):                      | All   |
| Initial Term:                 | 3 Years                                     |
| Option to Extend:             | 2 Years                                     |
| Annual Estimated Award:       | \$ 200,000                                  |
| Initial Term Estimated Award: | \$ 600,000 (3 years)                        |
| Total Estimated Award:        | \$1,000,000 (5 years)                       |
| Account No.:                  | 231– 31120 – 524110 – 1000 – P3111          |
| Funding Source:               | General Fund – Leases NOC                   |
| <b>Districts:</b>             | <b>All</b>                                  |

This is a Best Value, service contract.

The Financial Services - Purchasing Division and General Services – Land Management Division recommend award as indicated to El Paso Sanitation Systems, Inc., the bidder offering the best value bid.

[Financial Services, Bruce D. Collins, (915) 541-4313]

[General Services, Stuart C. Ed, (915) 621-6822]

- 10C.** 1. Discussion and action that the Purchasing Manager is authorized to notify Federal Janitorial STG LTD, that the City is terminating Contract No. 2012-050 for default pursuant to the provisions and requirements of Section C, Paragraph 8B of the Contract Clauses, due to contractor's failure to cure performance and that the termination shall be as of July 30, 2013 The Purchasing Manager is authorized to notify Federal Janitorial –STG LLC

|                   |                      |
|-------------------|----------------------|
| Department:       | Parks and Recreation |
| <b>Districts:</b> | <b>All</b>           |

[Financial Services, Bruce D. Collins, (915) 541-4313]

[Parks and Recreation, Tracy Novak, (915) 541-4355]

2. Discussion and action on the award of Solicitation No. 2013-201 (Janitorial Services – Parks and Recreation Various Facilities) to Total Cleaning Services for an initial term estimated award of \$851,523.76.

|             |                         |
|-------------|-------------------------|
| Department: | Parks and Recreation    |
| Award to:   | Total Cleaning Services |
|             | El Paso, TX             |
| Item(s):    | All                     |

|                               |  |
|-------------------------------|--|
| Initial Term:                 | 2 years                                    |
| Option to Extend:             | 2 years                                    |
| Payment Terms:                | 1.5% - 10 days                             |
| Annual Estimated Award:       | \$ 425,761.88                              |
| Initial Term Estimated Award: | \$ 851,523.76 (2 years)                    |
| Total Estimated Award:        | \$1,703,047.50 (4 years)                   |
| Account No.:                  | 451 – 51220 – 522060 - 1000                |
| Funding Source:               | Maintenance Services Contract - Janitorial |
| <b>Districts:</b>             | <b>All</b>                                 |

This is a Best Value, service type contract.

The Financial Services - Purchasing Division and Parks and Recreation recommend award as indicated to Total Cleaning Services, the bidder offering the best value bid.

Adefto Building & Grounds Services Inc. is deemed non-responsive on Groups 1a and 1b because the bidder did not bid on all items.

[Financial Services, Bruce D. Collins, (915) 541-4313]

[Parks and Recreation, Tracy Novak, (915) 541-4355]

### **REGULAR AGENDA – PUBLIC HEARINGS**

#### **11. CITY DEVELOPMENT:**

- 11A.** An Ordinance changing the zoning of Lots 26 & 27, Block C, Stevens, City of El Paso, El Paso County, Texas from C-4 (Commercial) to C-5 (Commercial), and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 533 W. Franklin. Property Owner: 533 West Franklin, LLC. PZRZ13-00018 **(District 8)**  
[City Development, Michael McElroy, (915) 541-4633]
- 11B.** An Ordinance changing the zoning of a Portion of Lot 8, Block 6, Hueco View Acres, City of El Paso, El Paso County, Texas from R-3 (Residential) to G-MU (General Mixed Use) and approving a Master Zoning Plan. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: South of Edgemere Boulevard and West of Lee Boulevard. Property Owner: Ardent Quest Apartment. PZRZ13-00014 **(District 5)**  
[City Development, Michael McElroy, (915) 541-4633]
- 11C.** An Ordinance changing the zoning of a Lot 48, Block 4, Stiles Gardens, City of El Paso, County of El Paso, Texas, from R-5 (Residential) to S-D (Special Development). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 7121 Stiles Drive A & B. Property Owner: Clotilde Hidalgo. PZRZ13-00008 **(District 3)**  
[City Development, Michael McElroy, (915) 541-4633]
- 11D.** An Ordinance changing the zoning of Tract 20-B1, Block 55, Ysleta Grant, City of El Paso, El Paso County, Texas from R-F (Ranch-Farm) to C-4 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 9355 Escobar Drive. Property Owner: D.M.K. Sisters, LLC. PZRZ13-00011 **(District 6)** [City Development, Michael McElroy, (915) 541-4633]

- 11E.** An Ordinance granting Special Permit No. PZST12-00026, to allow for the expansion of a major utility facility for El Paso Electric Company on the property described as a portion of Block 7, Celina Plaza, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.730 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 1165 Sunmount Drive. Applicant: El Paso Public Service Board (PSB). PZST12-00026 **(District 3)** [City Development, Arturo Rubio, (915) 541-4633]  
[POSTPONED FROM 07-16-2013]
- 11F.** An Ordinance granting Special Permit No. PZST12-00023, to allow for a Facility-Mounted Personal Wireless Service Facility (PWSF) and imposing a condition on the property described as Lot 19 and a portion of Lot 17, Block 138, Chaparral Park Unit 30, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.455 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 6520 Loma De Cristo Drive. Applicant: Ascension Lutheran Church. PZST12-00023 **(District 1)**  
[City Development, Arturo Rubio, (915) 541-4633]  
[POSTPONED FROM 07-02-2013 AND 07-16-2013]
- 11G.** An Ordinance amending Title 19 (Subdivisions), Chapter 19.01 (Provisions Applicable To All Platting Procedures), to modify and add exemptions, and amend the time for decision on Plats and Land Studies; Chapter 19.02 (Land Studies), to amend the criteria for approval and criteria for revisions following approval of a Land Study; Chapter 19.03 (Preliminary Plat), to amend the effect of approval of a Preliminary Plat, and the time for expiration and extension of the Preliminary Plat; Chapter 19.04 (Final Plat), to amend the time for expiration and extension of a Final Plat, and the plat recordation procedure; Chapter 19.08 (Construction Plans and Management), to amend the requirements of Subdivision Improvement Plans, the timing of public improvements and permit issuance to allow grading permits without requiring a subdivision, and to amend the security for completion of improvements; Chapter 19.10 (Dedication, Construction Requirements and City Participation), to clarify Roadway Participation Policies and developer's proportionate share; Chapter 19.15 (Roadways), to amend the street/thoroughfare escrow policies and procedures; Chapter 19.21 (Sidewalks), to amend sidewalk requirements for new streets; Chapter 19.41 (Expiration, Extension and Reinstatement), to amend the time of expiration of a plat application; and Chapter 19.46 (Proportionality Appeal), to amend the appeal requirements. The penalty being as provided in Chapter 19.42 of the City of El Paso City Code. **(All Districts)**  
[City Development, Kimberly Forsyth, (915) 541-4668]  
[POSTPONED FROM 07-16-2013]
- 11H.** An Ordinance amending Ordinance No. 016528 to modify the boundaries of Tax Increment Reinvestment Zone Number 5, City of El Paso, Texas to include an additional area in Downtown El Paso: Addition C Area- South El Paso, as more fully described herein; and adopting amendments to the Final Project Plan and Final Reinvestment Zone Financing Plan for Tax Increment Reinvestment Zone Number 5 to incorporate the increase to the fund resulting from the expansion to the boundary, and to allocate additional funding from the financing plan to the Commercial Facade Improvement Program and Tax Increment Reinvestment Zone Administrative Costs; adopting said amendments as required by Section 311.011(E) Texas Tax Code; also providing a severability clause. **(District 8)**  
[City Development, Marty Howell (915) 541-4680]

**REGULAR AGENDA – OTHER BUSINESS****12. ENGINEERING AND CONSTRUCTION MANAGEMENT:**

Discussion and action that the City Council approve the deduction of Options 1 through 10 in the amount of \$659,034.16 awarded under contract number 2012-241 to G.U.Y. Construction, L.L.C., on January 29, 2013, for the Safe Route to School – Project No 1, due to lack of funding by the Texas Department of Transportation. The new contract amount, including this construction quantity notice/change order is \$1,211,732.56.

**(All Districts)** [Engineering and Construction Management, Irene D. Ramirez, (915) 541-4428]

**13. PARKS AND RECREATION:**

**13A.** Discussion and action that the City Manager be authorized to sign a Contract of Sale between the City of El Paso and Argal Corporation, for the City's purchase of the property in the amount of \$1,150,000 for the purpose of using the property as a park, more particularly described as Lot 1, Block 298, Vista Del Sol Unit Sixty One, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof recorded in Book 54, Page 14, Plat Records of El Paso County, Texas and that the City Manager, or her designee, be authorized to sign any necessary documents to accomplish the intent of this Resolution. This is a Quality of Life Bond project. **(District 7)**

[Parks and Recreation, Liza Ramirez-Tobias, (915) 541-4599]

**13B.** Discussion and action that the City Manager be authorized to sign a Contract of Sale and any necessary related documents between the City of El Paso and TBMTHREE Partners Limited Partnership, a Texas Limited Partnership, in the amount of \$1,174,000 for the City's purchase of the property for a recreation center, located at 7380 Alameda Avenue, El Paso, Texas near the intersection of Alameda Avenue and Carolina Drive, and more particularly described as a portion of Lot 2, Block 40, Cedar Grove Park Unit No. 5, an Addition to the City of El Paso, El Paso County, Texas according to the plat thereof recorded in Volume 61, Page 85, of the Plat Records of El Paso County, Texas and Tracts 10B and 10C, Block 26, Ysleta Grant made by El Paso County, Texas for tax purposes and that the City Manager, or her designee, be authorized to sign any necessary documents to accomplish the intent of this Resolution. This is a Quality of Life Bond project. **(District 3)** [Parks and Recreation, Liza Ramirez-Tobias, (915) 541-4599]

**14. ZOO:**

Discussion and action that the City Manager is authorized to accept the donation of a multi-component tree house playground valued at \$500,000 and sponsorship for three years of programming for the future Wildlife Theater valued at \$900,000 at the El Paso Zoo. That City Council also authorizes the City Manager to sign any necessary documentation required for this donation, including the Contract.

**(All Districts)** [Zoo, Steve Marshall, (915) 521-1855]

**15. CITY DEVELOPMENT:**

**15A.** Discussion and action requesting the City Council to waive the requirement that an application for infill development meet two criteria as stated in Section 20.10.280 when only one factor is met, prior to the submission of a special use permit application for the property located at 600 Mulberry Drive, legally

described as a portion of Tract 14-C-2, Block 5, Upper Valley, City of El Paso, El Paso County, Texas. **(District 1)** [City Development, Arturo Rubio, (915) 541-4633]

- 15B.** Discussion and action requesting the City Council to waive the requirement that an application for infill development meet two criteria as stated in Section 20.10.280 when only one factor is met, prior to the submission of a special use permit application for the property located at 1817 Por Fin Lane, legally described as Tract 21 C-1-C1, Block 8, Ysleta Grant, City of El Paso, El Paso County, Texas. **(District 6)** [City Development, Arturo Rubio, (915) 541-4633]
- 15C.** Presentation and discussion by Regional Cyber and Energy Security (RCES) on an annual report on status of project progress activities during the first year of operations, use of grant funds and the performance measures required under the agreement with the City of El Paso. **(All Districts)**  
[City Development, Marty Howell, (915) 383-8217]

### **EXECUTIVE SESSION**

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act and the Rules of City Council.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

|                 |  |
|-----------------|--|
| Section 551.071 | CONSULTATION WITH ATTORNEY                               |
| Section 551.072 | DELIBERATION REGARDING REAL PROPERTY                     |
| Section 551.073 | DELIBERATION REGARDING PROSPECTIVE GIFTS                 |
| Section 551.074 | PERSONNEL MATTERS  |
| Section 551.076 | DELIBERATION REGARDING SECURITY DEVICES                  |
| Section 551.087 | DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS |

### **12:15 p.m. – 12:45 p.m. CALL TO THE PUBLIC – PUBLIC COMMENT**

**This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.**

A sign-up form is available on line at [https://www.elpasotexas.gov/muni\\_clerk/contact\\_public.asp](https://www.elpasotexas.gov/muni_clerk/contact_public.asp) for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

#### **NOTICE TO THE PUBLIC:**

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print, or audiotape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

**ALL REGULAR CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY THURSDAY AT THE ADDRESS BELOW:**

<http://www.elpasotexas.gov/>